

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

FS MEDICAL SUPPLIES, LLC, )  
                                )  
Plaintiff,                 )                                   3:21-cv-00501-RJC-WCM  
v.                            )  
                                )  
TANNERGAP, INC. and      )  
TANNER PHARMA UK LIMITED, )  
                                )  
Defendants.                )

*Consolidated for discovery with*

FS MEDICAL SUPPLIES, LLC,       )  
  )  
Plaintiff,                         )                                   3:23-cv-00598-RJC-WCM  
v.                                    )  
  )  
TANNER PHARMA UK LIMITED;      )  
RAYMOND FAIRBANKS BOURNE;     )  
and MARY EVERETT                )  
WHITEHURST BOURNE;             )  
  )  
Defendants.                        )

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ORDER

This matter is before the Court on Plaintiff's "Emergency Motion for Expedited Briefing and Hearing on Motion for Protective Order and to Set a Conference" (the "Motion to Expedite," Doc. 203). The Tanner Defendants have responded and Plaintiff has replied. Doc. 205, 206.

Plaintiff requests expedited briefing concerning its “Motion for Protective Order Concerning Depositions – Expedited Relief Requested” (the “Motion Concerning Depositions,” Doc. 201). Plaintiff also requests that the Court conduct a hearing on the Motion Concerning Depositions and a discovery conference.

Having reviewed the Motion to Expedite, the Motion Concerning Depositions, and the other currently pending motions, the Court will allow the Motion to Expedite in part.

**IT IS THEREFORE ORDERED THAT:**

1. To the extent the “Emergency Motion for Expedited Briefing and Hearing on Motion for Protective Order and to Set a Conference” (Doc. 203) seeks a hearing on the “Motion for Protective Order Concerning Depositions – Expedited Relief Requested” (Doc. 201), it is **GRANTED**. Plaintiff’s request that an expedited briefing schedule be established for the Motion Concerning Depositions is **DENIED**.
2. The deposition of Plaintiff’s website developer, Charles Roach, which is scheduled for November 6, 2024, is **TEMPORARILY STAYED** pending a ruling on the motions for which a hearing will be scheduled pursuant to this order. To the extent any other depositions are the subject of the motions to be heard, those depositions are likewise **TEMPORARILY STAYED**.

3. The Clerk is respectfully directed to schedule a status conference as well as a hearing on the following:
- a. Plaintiff's Motion to Compel Production of ESI from Jonathan Bracey's Mobile Phone (Doc. 174);
  - b. Defendants Tanner Pharma UK Limited's and TannerGAP, Inc.'s Motion for Leave to Amend Answer (Doc. 179);
  - c. Plaintiff's Motion to Compel Discovery on Discovery (Doc. 181);
  - d. Defendants Tanner Pharma UK Limited and TannerGAP, Inc.'s Motion for Protective Order to Preclude Discovery-on-Discovery (Doc. 183);
  - e. The parties' Joint Stipulated Request for Entry of Addendum to Stipulated Protective Order (Doc. 185); and
  - f. The Motion for Protective Order Concerning Depositions – Expedited Relief Requested (Doc. 201).

Signed: October 29, 2024



W. Carleton Metcalf  
United States Magistrate Judge

